

**Oregon Veterinary Medical Examining Board
The Inn at the Commons
Douglas Fir Room
200 N. Riverside Ave.
Medford, OR
October 25-26, 2019**

FINAL MINUTES

Dr. Emilio DeBess (Chair),
Drs. Dannell Davis, Allison Lamb, Dean Wilson; CVT Tiah Schwartz
Public Member Ms. Karen Pate
Excused: Dr. Brett Hamilton, Ms. Peggidy Yates
Lori Makinen, Director; Mark Reed, Investigator; Joanna Tucker-Davis Asst. Attorney General

Friday, October 25: Attorney Advice and Complaint Review 12:00 p.m.

Dr. DeBess convened executive session pursuant to 192.660(2)(L) and 192.660(2)(f).

The following cases have been settled through stipulated agreements:
19-0002; 19-0007; 19-000.

The following cases remain open:
18-0009; 18-0019; 19-0014b; 19-0022, 19-0025, 19-0035.

The Board reviewed the following new cases:
19-0026A/B; 19-0028; 19-0029; 19-0030; 19-0031; 19-0032; 19-0033; 19-0034; 19-0035; 19-0036; 19-0037A/B; 19-0039.

The meeting was adjourned at 4:05 p.m.

Saturday, October 26: Public Session 8:30 a.m.

A. Dr. DeBess convened public session and took roll.
There was no public attendees or guests.
Ms. Schwartz moved, Dr. Davis seconded, and the Board approved the agenda and draft minutes of the May meeting. Dr. Lamb moved, Ms. Yates seconded, and the Board approved the January meeting minutes.
Dr. Lamb moved, Dr. Wilson seconded, and the Board approved issuance of 14 veterinary, 16 intern, and 40 CVT licenses since the last meeting.

B. Chair Report

Dr. DeBess reported overflow attendance at a presentation he and the Director gave on infectious diseases and tick infestation in Lincoln City on October 9th.
Dr. DeBess announced that CVT member Tiah Schwartz would not be completing a second four-year term on the Board. Members and staff thanked Tiah for her contributions over the prior four years. Ms. Schwartz expressed desire, and was heartily encouraged, to continue to be involved with policy and rulemaking relating to CVT matters.

C. Director Report—Makinen updated the Board on the Secretary of State Audit and requested that the Board delegate to Dr. DeBess authority to write the Board's response to the audit. Dr. Lamb so moved, Dr. Wilson seconded, and the vote was unanimous. Additional updates provided on database migration, and the budget and impending legislative session.

Rulemaking

Proposed:

Ms. Schwartz moved, Dr. Wilson seconded, and the Board voted unanimously to propose rules allowing practice of telemedicine (OAR 875-015-0035).

Dr. Wilson moved, Dr. Davis seconded and the Board voted unanimously to propose new rules to support waiver of the Board of Pharmacy Drug Practitioner Dispensing Outlet (DPDO) (OAR 875-015-0040) and to repeal existing duplicative rules.

Adopted:

Dr. Wilson moved, Ms. Schwartz seconded, and the Board voted unanimously to adopt 875-030-0010 Criteria for Becoming a Certified Veterinary Technician (CVT) (Grounds for refusal to grant a license.)

Ms. Schwartz moved, Dr. Wilson seconded, and the Board voted unanimously to adopt 875-030-0045 Unprofessional or Dishonorable Conduct (Reiterates and adapts statutory and rule definitions of prohibited conduct for CVTs).

Dr. Lamb moved, Dr. Wilson seconded, and the Board voted unanimously to adopt 875-010-0010 Unprofessional or Dishonorable Conduct (Clarifies existing definitions for veterinarians).

Dr. Wilson moved, Dr. Davis seconded, and the Board voted unanimously to adopt 875-010-0000 (4) (Background checks for license applicants.)

The Board tabled continued discussion of:

Provision of patient records when a facility closes.

Limited exams for vaccine clinics.

Limited exam for complementary or consulting practitioners.

Complaint Resolution

18-0009—Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously to issue a final order and reduce the civil penalty to \$10,000.

18-0019—Ms. Schwartz moved, Ms. Pate seconded and the Board voted unanimously to issue a final order.

18-0022—Dr. Wilson moved, Dr. Lamb seconded and the Board voted unanimously to deny the renewal request and revoke the veterinarian's license based on a felony conviction.

19-0014B—The Board did not receive a response to its proposed order. Dr. Lamb moved, Dr. Wilson seconded, and the Board voted unanimously to issue a final order by default.

19-0025—Dr Lamb moved, Dr. Wilson seconded, and the Board voted unanimously to issue a final order.

19-0026A/B—Dr. Davis moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0028—Dr. Lamb moved, Dr. Davis seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0029—Dr. Davis moved, Ms. Pate seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0030—Dr. Wilson moved, Dr. Davis seconded, and the Board voted unanimously to issue a notice of intent to impose a disciplinary sanction with a civil penalty of \$1,500 for violation of OAR 875-015-0030(4)(2), OAR 875-011-0010(7).

19-0031—Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0032—Dr. Wilson moved, Ms. Schwartz seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0033—Ms. Schwartz moved, Dr. Davis seconded to assess a \$250 civil penalty, Dr. Davis, Ms. Page and Dr. Lamb voted against; motion failed. Dr. Davis moved to assess no civil penalty, no second; motion failed. Dr. Lamb moved, Dr. Wilson seconded and the Board voted unanimously to issue a notice of intent to impose a disciplinary sanction and assess a \$1,000 civil penalty.

19-0034—Dr. Wilson moved, Ms. Pate seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0036—Ms. Schwartz moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0037A/B—Dr. Lamb moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

19-0039—Dr. Davis moved, Ms. Pate seconded, and the Board voted unanimously not to issue a notice of intent to impose a disciplinary sanction.

Next meetings: January 31, April 25 (Portland) July 18, October 24 (locations TBD).

There being no further business, the meeting was adjourned at 2:45 p.m.

Respectfully submitted,
Lori Makinen, Executive Director